

PARK POLICE PAY COMPARABILITY

SEPTEMBER 2, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DROGS, from the Committee on the District of Columbia,
submitted the following

REPORT

[To accompany H.R. 15276]

The Committee on the District of Columbia to whom was referred the bill (H.R. 15276), to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for inclusion of officers and members of the United States Park Police force under the Federal pay comparability system and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

PURPOSE

SECTION 1. The purpose of this Act is to insure that officers and members of the United States Park Police force are entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

ADJUSTMENTS IN BASIC COMPENSATION OF OFFICERS AND MEMBERS OF THE PARK POLICE FORCE

SEC. 2. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by striking out "The rates" and inserting in lieu thereof "(a) Except as provided in subsections (b) and (c), the rates" in lieu thereof, and

(2) by adding at the end thereof the following new subsections:

"(b) (1) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount

(rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.

"(2) No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

SEC. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and desirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code.

EFFECTIVE DATE

SEC. 4. The amendments made by this Act shall take effect on October 1, 1976.

Amend the title so as to read :

A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police force.

PURPOSE OF THE BILL AS REPORTED

The essential purpose of H.R. 15276 is to remove the United States Park Police from the pay adjustment provisions of the D.C. Police and Firemen's Salary Act of 1958, and to provide that future adjustments shall be made pursuant to the pay comparability system of the Federal government. In making this change, the bill provides a beginning for the eventual transfer of Park Police salary, retirement, and other benefits out from the D.C. law and into the United States Code.

NEED FOR THE LEGISLATION

For many years the pay and benefits of the U.S. Park Police have been governed by the D.C. Police and Firemen's Act of 1958 (4 D.C. Code §§832 et seq). Prior to the full implementation of the "Home Rule" Act (Public Law 93-198) on January 2, 1975, it was logical to deal with salaries and benefits for the U.S. Park Police and the D.C. Metropolitan police in a single piece of legislation, because the Congress had the direct responsibility for compensation of both police forces. Now that the Council of the District of Columbia has the direct responsibility for the salary and benefits of the Metropolitan Police under the "Home Rule" Act, it appears reasonable to take the Park Police

out of the compensation adjustment provisions of the D.C. Police and Firemen's Act and bring them under the relevant provisions of the U.S. Code. Bringing the Park Police under the Federal pay comparability system, as H.R. 15276 does, would ensure that the Park Police would be treated the same as other Federal employees with regard to future pay adjustments, and would eliminate the need for Congress to consider new pay legislation every year or two in order to provide the Park Police with appropriate cost of living increases as has been done in the past.

PROVISIONS OF THE REPORTED BILL

Section 1 sets forth the purpose of the bill to entitle the Park Police to the same adjustments in basic compensation which civil service General Schedule employees receive under the Federal pay comparability system.

Section 2 amends the District of Columbia Police and Firemen's Salary Act of 1958 to provide for regular adjustments of the annual rate of basic compensation of officers and members of the Park Police only in the same overall percentage adopted for Federal civil service General Schedule employees under the Federal pay comparability system. The amendment adds two new subsections, (b) and (c). Paragraph (1) of subsection (b) is similar to language in Public Law 94-82, which provided for similar cost-of-living increases for Members of Congress, Federal judges, and certain Executive officials, all of whom were not covered under the pay comparability system. The paragraph has been drafted to ensure that adjustment in the Park Police's salary schedule conforms to that percentage actually adopted under the procedures provided in section 5305 of title 5, rather than to a percentage recommended in the various reports transmitted to Congress under the different subsections within section 5305. Paragraph (2) of subsection (b) makes clear that the foregoing procedure will be the exclusive method under which the Park Police will receive pay comparability increases. The Park Police would no longer be entitled to salary adjustments approved by the District of Columbia Council for the Metropolitan Police.¹ This paragraph is only intended to limit adjustments in the basic salary schedule and does not affect other provisions of the Salary Act providing for automatic step adjustments and for additional compensation for helicopter pilots, technicians, and others. Subsection (c) is intended to clarify the Committee's intent to use the adjusted salary schedule of the Park Police where other forms of additional compensation, such as overtime and service longevity, are calculated based upon basic rates of compensation provided in such schedule.

Section 3 requires the Department of the Interior to submit to Congress within one year a report reviewing the adequacy of all the laws relating to the U.S. Park Police powers, duties, functions, salaries and benefits which are presently contained in various statutes and compiled in the District of Columbia Code. This report should contain detailed recommendations and specific legislative proposals for amending, updating, and supplementing these existing authorities for enactment in a single part of the United States Code. One bill re-

¹ E.g. 4 D.C. Code §§ 833.839.

viewed by the Committee, H.R. 13250, attempted to achieve some of these changes, and it should serve as a good starting basis for the required report.

Section 4 provides that the effective date of the amendments made by this bill shall be October 1, 1976. It is the intent of Congress to insure that the Park Police shall receive any adjustments under the Federal pay comparability system becoming effective on or after October 1, 1976.

BACKGROUND ON THE U.S. PARK POLICE

The Park Police is an organizational unit under the National Park Service, U.S. Department of the Interior. The Park Police is composed of approximately 500 uniformed officers. It has law enforcement jurisdiction in the District of Columbia, its environs, and various national parks located throughout the United States. In addition to the District of Columbia, Maryland and Virginia, Park Police are assigned in New York, New Jersey, California and Nevada. In the District of Columbia, the Park Police has concurrent law enforcement jurisdiction with the Metropolitan Police Department. Park Police patrol areas administered by the Department of Interior such as the Mall, the Jefferson and Lincoln Memorials, the Washington Monument, Ford's Theatre, the Kennedy Center, the Golden Gate National Recreation Area in San Francisco, the Gateway National Recreation Area in New York City, various National Battlefields, Parks, and Highways. They also provide escorts for the President of the United States and maintain two helicopters staffed with paramedics for emergency assistance to victims of accidents in the local area.

The steadily increasing number of visitors to these recreation areas within the jurisdiction of the Park Police in recent years has resulted in a proportionately greater increase in major crimes such as homicide, rape, robbery and assault. Thus the enforcement and investigation responsibilities of the Park Police have extended well beyond Park rules and regulations to serious crimes usually associated with urban areas. Park Police perform their duties under conditions which can be as hazardous as those under which urban police forces operate. Their basic compensation should permit continued recruitment of high calibre officers.

Testimony at the hearings indicated that since 1972, Federal employees have received pay increases amounting to approximately 27 percent. By comparison, since 1972 the Park Police has received pay increases of 22 percent, including the most recent increase of 6 percent enacted by the D.C. Council in March of this year, effective retroactively to October, 1975. When the 6 percent increase adopted by the Council for the Metropolitan Police went into effect, the Park Police became entitled to the same increase pursuant to the provisions of the Police and Firemen's Act of 1958. (The Park Police began receiving this increase in their first regular paycheck in July, 1976.)

LEGISLATIVE HISTORY

The Subcommittee on the Judiciary considered several previous bills (H.R. 11131, H.R. 13250, H.R. 14322) which provided for Federal

pay comparability for the Park Police, as well as a 10.6 percent pay increase, longevity amendments, increase night and weekend differential pay, establishment of a new and separate Retirement Board within the Department of the Interior, and other benefits. One of these bills took 65 pages to remove the Park Police from all the relevant provisions of the D.C. Code for pay, retirement and other benefit purposes, and to establish such benefit provisions in a single part of the U.S. Code. Even then, the Department of the Interior had reservations about certain parts of that bill. As previously indicated, during the pendency of these bills in July of this year, the Park Police received the 6 percent increase granted the Metropolitan Police. Consequently, with time running out under the September 15 deadline of the Budget Control Act of 1974, the Subcommittee determined not to attempt the complicated and complete transfer of all the Park Police pay, retirement and other benefits.

Hearings and markup on the legislation were held by the Subcommittee on the Judiciary on August 25, 1976, at which representatives of the Interior Department, the Park Police, and the Policemen's Association were invited to testify. All comments received by the Subcommittee were in support of the legislation. The Subcommittee reported to the Committee H.R. 15276, providing for the essential element of Federal pay comparability for the Park Police, and calling for the Department of the Interior to submit to Congress within one year comprehensive recommendations for transfer of the other matters affecting the Park Police. The Full Committee met on September 1, 1976 and adopted an amended version of the bill reflecting mainly technical improvements suggested by the Department of the Interior and the Office of Management and Budget.

DEPARTMENTAL RECOMMENDATION

The Department of the Interior letter in support of H.R. 15276, as amended, follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 2, 1976.

HON. CHARLES C. DIGGS, JR.,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 15276, as amended, a bill "To amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require submittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police."

We recommend that the amended bill be enacted.

H.R. 15276, as amended, would provide that officers and members of the United States Park Police be entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

The bill would also require the Secretary of the Interior to submit to Congress within 1 year a report on the feasibility and desirability of enacting as a part of the United States Code those provisions affecting the United States Park Police which presently are contained in statutes compiled in the District of Columbia Code.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program, and that the Department of the Treasury opposes enactment of H.R. 15276.

Sincerely yours,

JOHN KYL,

Assistant Secretary of the Interior.

COMMITTEE VOTE

On September 1, 1976, the Full Committee approved by voice vote H.R. 15276, as amended.

STATEMENTS REQUIRED BY RULE XI(1)(3) OF HOUSE RULES

OVERSIGHT FINDINGS AND RECOMMENDATIONS

The Committee's oversight findings with respect to the matters with which the bill is concerned remain as a part of its continuing Congressional oversight required by the Constitution and specifically provided for in the Home Rule Act (Sections 601, 602, 604 and 731 of Public Law 93-198).

BUDGET AUTHORITY

This local legislation for the District of Columbia creates no new budget authority or tax expenditure by the Federal Government. Therefore, a statement required by Section 308(a) of the Congressional Budget and Impoundment Control Act of 1974 is not necessary.

CONGRESSIONAL BUDGET OFFICE ESTIMATE AND COMPARISON

No estimate and comparison of costs of the amended bill has been received by the Committee from the Director of the Congressional Budget Office, pursuant to Section 403 of the Congressional Budget and Impoundment Control Act of 1974. See cost estimate below by this Committee.

COMMITTEE ON GOVERNMENT OPERATIONS SUMMARY

No oversight findings and recommendations have been received which relate to this measure from the Committee on Governmental Operations under Clause 2(b) (2) of Rule X.

COSTS

The enactment of this proposed legislation may involve some additional costs to the Federal Government, contingent upon and determined by any adjustments under the Federal pay comparability system becoming effective on or after October 1, 1976, in comparison with

any adjustments enacted by the D.C. Council which would be applicable to the Park Police under present law.

INFLATIONARY IMPACT

The bill, if enacted into law, will have no foreseeable inflationary impact on prices or costs in the operation of the national economy.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

SECTION 501 OF THE DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. **[The rates]** (a) *Except as provided in subsections (b) and (c), the rates of basic compensation of officers and members of the United States Park Police and the Executive Protective Service shall be the same as the rates of compensation, including longevity increases, provided in this Act, for officers and members of the Metropolitan Police force in corresponding or similar Classes.*

(b) (1) *Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount (rounded to the next highest multiple of \$5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.*

(2) *No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).*

(c) *Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b).*



